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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,122	01/22/2002	Brian E. Belcher	MMSO18351	7366
1224	7590	05/20/2005	EXAMINER	
CRUTSINGER & BOOTH 1601 ELM STREET SUITE 1950 DALLAS, TX 752014744			NGUYEN, PHUNG	
			ART UNIT	PAPER NUMBER
			2632	

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/055,122

Applicant(s)

BELCHER ET AL.

Examiner

Phung T. Nguyen

Art Unit

2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12-15 is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☒ Claim(s) 16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beckert et al. in view of Okamoto et al. (U.S. Pat. 5,541,572).

**Regarding claim 1:** Beckert et al. disclose displaying computer information to a driver of a vehicle comprising at least one vehicle motion condition detector 27 providing signals indicative of current motion of the vehicle (figure 1, col. 4, lines 6-10); at least one signal processor 16 responsive to signals provided by the at least one detector indicative of vehicle motion (col. 4, lines 58-65); at least one vehicle mounted communication device 24 (col. 3, lines 53-65) and at least one blanking device associated with the signal processor and the communication device responsive to the blanking signals to prevent utilization with the at least one communications device by the vehicle operator (figure 1, col. 1, lines 48-59). Beckert et al. do not specifically teach shutting down output from the computer ports to the communications device as claimed. However, shutting down the output from the computer ports to the communications device while the vehicle is moving is old and known in the art as taught by Okamoto et al. (fig. 1, col. 7, lines 63-67, and col. 8, lines 1-11). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the technique of Okamoto et al. in the system of Beckert et al. in order to totally disable the

computer so that it will not respond to commands from the driver. Thus distraction of the vehicle operator can be avoided.

**Regarding claim 2:** Beckert et al. disclose the at least one motion condition detector comprising a transmission park/neutral switch (col. 1, lines 54-55, col. 4, lines 16-20).

**Regarding claim 3:** Beckert et al. disclose the signal processor comprising a programmable digital processor configured to deliver outputs to temporarily block device outputs that may be dangerously distracting to the vehicle operator at that time (col. 4, lines 66-67, and col. 5, lines 1-3).

**Regarding claim 4:** Beckert et al. disclose the programmable digital signal processor is a "PC" type computer (col. 2, lines 42-57).

**Regarding claim 5:** Beckert et al. disclose the "PC" computer includes an output monitor and an input keyboard (col. 2, lines 64-67).

**Regarding claim 6:** Refer to claim 4 above.

**Regarding claim 7:** Refer to claim 5 above.

**Regarding claim 8:** Beckert et al. disclose the at least one motion condition detector comprising an accelerometer (col. 4, lines 6-13).

**Regarding claim 9:** Beckert et al. disclose the at least one motion condition detector comprising a transmission park/neutral switch (col. 1, lines 54-55, col. 4, lines 16-20).

**Regarding claim 10:** Beckert et al. inherently teach the at least one motion condition detector comprising an antilock brake system (col. 4, lines 6-15).

**Regarding claim 11:** Beckert et al. disclose the at least one motion condition detector comprising an electric speedometer (col. 4, lines 6-13).

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*Allowable Subject Matter*

3. Claims 12-15 are allowed.
4. Claim 16 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

*Conclusion*

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phung T Nguyen whose telephone number is 571-272-2968. The examiner can normally be reached on 8:00am-5:30pm Mon thru. Friday, with alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on 571-272-2964. The fax numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-308-9051 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

Phung Nguyen



Date: May 13, 2005